



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James J. Frassica  
Serial No.: 09/671,048  
Filing Date: 09/27/2000  
For: ROTATE-TO-ADVANCE CATHETERIZATION SYSTEM  
Group Art Unit: 3763  
Examiner: Manuel A. Mendez  
Attorney's Docket No.: FA-70

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicants hereby make the following documents of record in the above-identified application:

U.S. Patents

- (1) U.S. Patent No. 207,932, issued 09/10/1878 to Alvord
- (2) U.S. Patent No. 761,235, issued 05/31/1904 to Kepler
- (3) U.S. Patent No. 1,644,919, issued 10/11/1927 to Hayes
- (4) U.S. Patent No. 1,888,349, issued 11/22/1932 to Jacoby
- (5) U.S. Patent No. 2,173,527, issued 09/19/1939 to Agayoff
- (6) U.S. Patent No. 2,896,629, issued 07/28/1959 to Warr
- (7) U.S. Patent No. 3,428,046, issued 02/18/1969 to Remer et al.
- (8) U.S. Patent No. 3,815,608, issued 06/11/1974 to Spinosa et al.
- (9) U.S. Patent No. 3,897,751, issued 08/05/1975 to Gullino et al.
- (10) U.S. Patent No. 4,445,509, issued 05/01/1984 to Auth
- (11) U.S. Patent No. 4,682,981, issued 07/28/1987 to Suzuki
- (12) U.S. Patent No. 4,759,346, issued 07/26/1988 to Nakajima
- (13) U.S. Patent No. 4,762,130, issued 08/09/1988 to Fogarty et al.
- (14) U.S. Patent No. 4,834,724, issued 05/30/1989 to Geiss et al.
- (15) U.S. Patent No. 4,950,232, issued 08/21/1990 to Ruzicka et al.
- (16) U.S. Patent No. 4,955,859, issued 09/11/1990 to Zilber
- (17) U.S. Patent No. 4,994,032, issued 02/19/1991 to Sugiyama et al.
- (18) U.S. Patent No. 5,009,643, issued 04/23/1991 to Reich et al.
- (19) U.S. Patent No. 5,087,252, issued 02/11/1992 to Denard

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- (20) U.S. Patent No. 5,129,910, issued 07/14/1992 to Phan et al.
- (21) U.S. Patent No. 5,246,441, issued 09/21/1993 to Ross et al.
- (22) U.S. Patent No. 5,246,445, issued 09/21/1993 to Yachia et al.
- (23) U.S. Patent No. 5,308,354, issued 05/03/1994 to Zacca et al.
- (24) U.S. Patent No. 5,313,934, issued 05/24/1994 to Wiita et al.
- (25) U.S. Patent No. 5,334,211, issued 08/02/1994 to Shiber
- (26) U.S. Patent No. 5,339,800, issued 08/23/1994 to Wiita et al.
- (27) U.S. Patent No. 5,556,382, issued 09/17/1996 to Adams
- (28) U.S. Patent No. 5,456,685, issued 10/10/1995 to Huebner
- (29) U.S. Patent No. 5,672,158, issued 09/30/1997 to Okada et al.

#### Foreign Patents

- (30) DE 23 11 807 A (EAST WEST MEDICAL PRODUCTS) published 13 September 1973
- (31) German Patent No. 92 03 077, published 07/30/1992
- (32) French Patent No. 564832, published 01/12/1924

#### Other Publications

- (33) "Anatomy, Descriptive & surgical" by Henry Gray, 1977 Crown Publisher pp. 98-1001, 1004-1007, 1026-1027.
- (34) "Ancient Inventions", 1<sup>st</sup> Ed 1994 by Peter James & Nick Thorpe, Ballantine Books pp. 15 & 16.
- (35) "Perspective in Urology", Hoffman-Larducue, 1976 Pub of American Urological Assoc. pp. 117-134.
- (36) "Antique Medical Instruments", by Keith Wilbuy, M.D., Schiffer Pub Ltd., pp. 74-75.
- (37) "Urology Productions", Bard Urological Div. 6 pages Product Data Sheets.
- (38) "A Presentation of Catheters and Urological Specialties for..." 1 page Foley Catheters/Urological Specialties.

Copies of these documents 1-3, 5, 6, 10, 11, 13-16, 18-23, 25, 28, 29, and 33-38 which are listed on accompanying Form PTO-1449, were previously submitted to, or cited by, the Office in U.S. Application Serial Number 09/448,054. Copies of documents 4, 7, 8, 9, 12, 17, 24, 26, 27, and 30-32 are enclosed herewith. Applicants respectfully request that these documents be fully considered by the U.S. Patent and Trademark Office.

The enclosed documents may have markings thereon. Applicants are not presently aware of the source of those markings, and no significance is meant to be attached thereto.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97 and 1.98. If for any reason the Examiner considers otherwise, it is respectfully requested that the undersigned be contacted by the Examiner by telephone in order that any deficiencies may be expeditiously remedied.

*A check in the amount of One Hundred Eighty Dollars (\$180.00) payable to the Commissioner of Patents and Trademarks also is enclosed herewith to cover the fee due in connection with this submission.*

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

Thank you.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

November 5, 2003

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

*James A. Sheridan 11/5/03*

(SIGNATURE)

November 5, 2003

(DATE OF SIGNATURE)

Respectfully submitted,

*James A. Sheridan 11/5/03*

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>COMPLETE IF KNOWN</b> <table border="1"> <tr> <td>Application Number</td> <td>09/671,048</td> </tr> <tr> <td>Filing Date</td> <td>09/27/2000</td> </tr> <tr> <td>First Named Inventor</td> <td>James J. Frassica</td> </tr> <tr> <td>Group Art Unit</td> <td>3763</td> </tr> <tr> <td>Examiner Name</td> <td>Manuel A. Mendez</td> </tr> <tr> <td>Attorney Docket Number</td> <td>FA-70</td> </tr> </table>		Application Number	09/671,048	Filing Date	09/27/2000	First Named Inventor	James J. Frassica	Group Art Unit	3763	Examiner Name	Manuel A. Mendez	Attorney Docket Number	FA-70
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Sheet	1	of	3														

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.†	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code* (if known)			
		207,932		Alvord	09-10-1878	
		761,235		Kepler	05-31-1904	
		1,644,919		Hayes	10-11-1927	
		1,888,349		Jacoby	11-22-1932	
		2,173,527		Agayoff	09-19-1939	
		2,896,629		Warr	07-28-1959	
		3,428,046		Remer et al.	02-18-1969	
		3,815,608		Spinosa et al.	06-11-1974	
		3,897,751		Gullino et al.	08-05-1975	
		4,445,509		Auth	05-01-1984	
		4,682,981		Suzuki	07-28-1987	
		4,759,346		Nakajima	07-26-1988	
		4,762,130		Fogarty et al.	08-09-1988	
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		4,950,232		Ruzicka et al.	08-21-1990	
		4,955,859		Zilber	09-11-1990	
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		5,087,252		Denard	02-11-1992	
		5,129,910		Phan et al.	07-14-1992	

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

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Sheet 2 of 3

<b>Application Number</b>	09/671,048
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<b>Examiner Name</b>	Manuel A. Mendez
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Substitute for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	3	of	3	Attorney Docket Number	FA-70
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## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		"Anatomy, Descriptive & surgical" by Henry Gray, 1977 Crown Publisher pp. 98-1001, 1004-1007, 1026-1027.	
		"Ancient Inventions", 1st Ed 1994 by Peter James & Nick Thorpe, Ballantine Books pp. 15 & 16.	
		"Perspective in Urology", Hoffman-Larducue, 1976 Pub of American Urological Assoc. pp. 117-134.	
		"Antique Medical Instruments", by Keith Wilbuy, M.D., Schiffer Pub Ltd., pp. 74-75.	
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